

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LAMONT RUFFIN,

Plaintiff,

V.

NEBRASKA DEPT. OF
CORRECTIONS, et al.,

Defendants.

4:12CV3058

MEMORANDUM AND ORDER

This matter is before the court on its own motion. On June 11, 2012, the court conducted an initial review of Plaintiff's Complaint and found that it failed to state a claim upon which relief may be granted. (Filing No. [7](#).) The court gave Plaintiff the opportunity to amend his claims, but warned Plaintiff that if he failed to amend his Complaint by July 12, 2012, his Complaint "will be dismissed without further notice for failure to state a claim upon which relief may be granted." ([Id.](#) at CM/ECF p. 9.) Plaintiff has failed to file an amended complaint. (See Docket Sheet.)

IT IS THEREFORE ORDERED that:

1. Pursuant to [28 U.S.C. § 1915](#), Plaintiff's Complaint is dismissed without prejudice because it fails to state a claim upon which relief may be granted.
2. A separate judgment will be entered in accordance with this Memorandum and Order.
3. The Clerk of the court is directed to place the "28USC1915(g)_STR" flag on this matter.

DATED this 31st day of July, 2012.

BY THE COURT:

s/ John M. Gerrard

United States District Judge

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